

US EPA ARCHIVE DOCUMENT



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

December 22, 1998

Dear Citizen:

I wanted to bring you up to date on the recent far-reaching agreement developed in conjunction with plaintiffs to the lawsuit challenging mountaintop mining and valley fill policies. I am pleased to report that the four Federal agencies dealing with these mining practices have agreed to conduct a comprehensive assessment of the environmental impacts of mountaintop mining and valley fills in the Appalachian region. This study will take place over a two year period and will potentially develop new Federal and state policies to minimize undesirable environmental impacts. This assessment will include full participation and input from citizens in states where mining occurs.

While the assessment, known as an environmental impact statement, is underway these mining practices will be allowed to continue, but under restrictions which require much more rigorous permit review and thorough individual environmental assessments of large sites.

These interim reforms to the permitting process will fundamentally change the way this type of mining is conducted, limiting environmental impacts to the extent practicable, until the two-year study can shed light on additional policy changes that may be warranted.

By undertaking these interim reforms, the Federal agencies have committed to tightening their efforts to ensure that all Federal and state laws are followed. We will coordinate permit decisions that minimize adverse environmental impacts, initiate earlier permit review and provide greater direction and consistency to permit applicants.

As part of this comprehensive, long-term approach to deal with environmental impacts, and following our work with Arch Coal to significantly scale back its valley fill plans, I decided to lift the EPA objections to the Hobet Spruce #1 Mine water quality permit. Specifically, the Hobet Mine permit was reduced from a 13 year operation to a 5 year project; two of the five valleys will not be filled at all and two other fills were substantially reduced in size; and any future work at the site will have to go through a new permit process with a complete environmental assessment and public involvement. This is a much better permit for nearby residents and for the environment than originally submitted and helps us move to the next stage of interim permit reforms.

*Customer Service Hotline: 1-800-438-2474*

For your information, I have enclosed a fact sheet with more details on both the unified plan and the concessions gained on the Hobet permit.

I want to thank everyone who took the time to contact the EPA on this issue, particularly those who attended the hearing in Logan, West Virginia. Your comments helped us in our deliberations and have empowered us to better protect the people and environment of these mining communities. We have compiled a detailed response to comments which is available by calling 1-800-438-2474 or writing us at the EPA office.

I am convinced that the steps being taken by the EPA and our Federal partners in cooperation with West Virginia, Kentucky and other mining states will produce significant improvements in the way coal is mined. I am committed to ensuring that the Environmental Protection Agency continues to provide leadership in protecting water quality and the region's precious environmental resources.

I wish you and yours a very happy holiday season and a prosperous and healthy New Year.

Best Wishes,

W. Michael McCabe  
Regional Administrator

Enclosure